

4. On or about June 12, 2012, I, and others working under my direction conducted a forensic examination of the Arbor-issued laptop computer hard drive of defendant Jason McEachin (“McEachin”), which I understand McEachin returned to Arbor on or about May 10, 2012.

5. The examination of McEachin’s computer hard drive revealed that it had been completely “wiped clean,” such that no data could be recovered from it.

6. On or about June 12, 2012, I, and others working under my direction conducted a forensic examination of the Arbor-issued laptop computer hard drive of defendant James Gill (“Gill”), which I understand Gill returned to counsel for Arbor on or about May 31, 2012.

7. The examination of Gill’s computer hard drive revealed that it had been reformatted on May 4, 2012, leaving no data to be analyzed except for the folders/files that showed the reformatting activity.

8. On or about August 2, 2012, I conducted a forensic examination of a USB device. I understand this device was provided by McEachin to counsel for Arbor on July 27, 2012.

9. This examination revealed that a folder named “My Misc” had been created on the USB device on March 30, 2012.

10. After the My Misc folder was created, no less than thirty-one files were moved into the My Misc folder.

11. Several of these files contained Arbor templates, including PowerPoint Presentations with the Arbor logo. In addition, several of these files were marked “Company Confidential.”

12. The forensic examination of the USB drive revealed that two files “last access” dates have been set to July 3, 2012. Twenty-nine other files “last access” dates have been set to July 5, 2012.

13. Additionally, ten of the files that had been copied to the USB drive had been deleted on or after July 5, 2012, including files marked “Company Confidential.”

The foregoing statements are made under the pains and penalties of perjury.

Dated: August 6, 2012

/s/ Jim Vaughn
Jim Vaughn

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants, as identified on the Notice of Electronic File (“NEF”), and paper copies will be sent to those indicated as non-registered participants on August 8, 2012, by first class mail.

/s/ Dawn Mertineit

Dawn Mertineit